

810-5-8-.10 Mandatory Liability Insurance (MLI) Questionnaire and Notice of Suspension.

(1) In accordance with Section 32-7A-7, Code of Alabama 1975, the Department of Revenue, or its designee, may review registrations of motor vehicles subject to §32-7A-4, or owners thereof to verify whether the motor vehicles are insured.

(2) The Department may send MLI questionnaires to owners/registrants to be completed and returned to the Department “within 30 calendar days after the department mails a request.” [§32-7A-7]

(3) Section 32-7A-8 provides, in part, that “...the Department shall notify the owner that such owner’s vehicle registration shall be suspended 30 calendar days after the date of mailing the notice unless the owner furnishes evidence of insurance in effect on the verification date, as prescribed by the department. The notice shall be in writing and shall be mailed by the U.S. Postal Service to the registrant’s last known address as reflected on the Department’s motor vehicle registration records.” The Department will provide a Notice of Suspension to anyone whose registration is to be suspended pursuant to Chapter 7A of Title 32. The notice includes information regarding the suspension, including the reason for the suspension, the effective date of the suspension, and the earliest date the suspension may be removed. The notice provides additional information as to what procedures the vehicle owner must follow to prevent registration suspension or to have his or her vehicle registration reinstated.

(4) If the vehicle owner receives a Questionnaire or Notice of Suspension (NOS) and the subject vehicle was insured by a company qualified to transact business in Alabama on the insurance verification date shown on the questionnaire or NOS for the vehicle and vehicle license plate identified, the vehicle owner is required to provide the following information by one of the methods provided in this rule:

- (a) The name of the insurance company that is qualified to transact business in Alabama;
- (b) NAIC Number of the insurance company;
- (c) The address of the insurance company, including city, state, and zip code;
- (d) The insurance company telephone number;
- (e) The insurance policy number issued to the vehicle;
- (f) The effective date of the insurance policy;
- (g) The policy expiration date.

(5) If the vehicle listed on the questionnaire or NOS was not insured on the insurance verification date shown on the questionnaire or NOS because the vehicle was stored, inoperable,

or otherwise unused, the vehicle owner must indicate this exemption reason on the questionnaire or NOS and provide evidence of the vehicle's non-use to the licensing official prior to re-registering the vehicle, as provided in administrative rule 810-5-1-.244. The current vehicle registration will be revoked for the remainder of the registration period. In the event the vehicle is no longer stored, inoperable, or unused, a new license plate/registration must be obtained prior to operating the vehicle. Failure to provide acceptable evidence of non-use will result in the suspension of the vehicle registration as provided in subsection (6).

(6) If the vehicle listed on the questionnaire or NOS was not insured on the insurance verification date shown on the questionnaire or NOS in violation of §32-7A-4, the department shall suspend the registration. The registrant must serve any required suspension period, remit reinstatement fees and provide current evidence of insurance in order to reinstate the registration.

(7) The vehicle owner, or his/her authorized representative, is required to sign the questionnaire or NOS in the place provided on the questionnaire or NOS if mailed or faxed to the Department.

(8) The Department must receive the required questionnaire or NOS information within 30 calendar days of the date of correspondence shown on the questionnaire or NOS form by one of the following methods:

(a) By entering information on-line at the Department's website and electronically transmitting it to the Department; or

(b) Faxing the questionnaire or NOS to the fax number shown on the questionnaire or NOS; or

(c) Mailing the questionnaire or NOS to the department address indicated in the correspondence.

(9) In accordance with § 32-7A-7, any vehicle owner failing to respond to the questionnaire or NOS "shall be deemed to have registered or maintained registration of a motor vehicle in violation of § 32-7A-4," and the Department shall suspend the registration.

(10) In accordance with § 32-7A-7, if the vehicle owner responds to the questionnaire or NOS by asserting that his or her vehicle was covered by a liability insurance policy on the verification date stated in the department's request, the department may conduct a verification of the response through the Online Insurance Verification System (OIVS) or by furnishing necessary information to the insurer named in the response. Insurance information received from vehicle owners at the time of reinstatement should be processed the same as information received from insurance questionnaires or NOS.

(11) If the insurer fails to respond within 30 calendar days to the NOS, the Department shall suspend the registration.

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Authority: Sections 40-2A-7(a)(5) and 32-7A-3(a), Code of Alabama 1975

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